

1 WILLIAM B. TREITLER (SBN 46077)  
btreitler&tahlaw.com  
2 M. ANDREW SCHNEIDER (SBN 219441)  
aschneider@tahlaw.com  
3 TREITLER & HAGER, LLP  
3737 Camino del Rio S, Suite 109  
4 San Diego, CA 92108

5 Telephone: (619) 283-1111  
Facsimile: (619) 528-0746

6 Attorneys for Defendant RENE ALEJANDRO LACAPE  
7

8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
10

11 NORTH AMERICAN COMPANY FOR  
LIFE AND HEALTH INSURANCE,

12 Plaintiff,

13 vs.

14 MICHAEL L. PHILPOT, an individual,  
15 VIRGINIA B. HIRSH, an individual,  
JOHN B. KUYKENDALL, an individual,  
16 RENE ALEJANDRO LACAPE, an  
individual, C. RICHIE MCNAMEE, an  
17 individual and HECTOR PAEZ VALDEZ,  
an individual,

18 Defendants.  
19

**Case No.: 08 CV 0270 BEN NLS**

**JOINDER BY DEFENDANT RENE  
ALEJANDRO LACAPE IN DEFENDANT  
VIRGINIA B. HIRSCH'S MOTION TO  
DISMISS PURSUANT TO FRCP 12(b)(6)**

Date: May 5, 2008  
Time: 10:30 a.m.  
Courtroom: 3

20 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

21 PLEASE TAKE NOTICE that defendant RENE ALEJANDRO LACAPE hereby joins in  
22 defendant Virginia B. Hirsch's Motion to Dismiss Pursuant to FRCP 12(b)(6) for failure to state a  
23 claim upon which relief can be granted, and incorporates such Motion and supporting papers by  
24 reference.

25 Dated: April 7, 2008

TREITLER & HAGER, LLP

26 By: s/ M. Andrew Schneider  
Attorneys for Defendant  
27 RENE ALEJANDRO LACAPE  
28 Email: aschneider@tahlaw.com